

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

MILDRED PARKER,	§	
	§	
	§	
Plaintiff,	§	
	§	
vs.	§	Civil Action No. 1:07-CV-041-C
	§	ECF
	§	
MICHAEL J. ASTRUE,	§	
Commissioner of Social Security,	§	
	§	
Defendant.	§	

ORDER OF DISMISSAL

THIS MATTER comes before the court on the Report and Recommendation filed March 10, 2008 (Doc. 26). Plaintiff filed objections to the Report and Recommendation on March 24, 2008 (Doc 27). The court has made a *de novo* determination of the Report and Recommendation after consideration of Plaintiff's objections, the submissions of the parties, and the transcript of the administrative proceedings.

The court finds the objections to be without merit. The court further finds that the ALJ applied the correct legal standards and that substantial evidence supports his decision.

The court also finds that the Report and Recommendation applied the correct legal standards. While Plaintiff argues the United States Magistrate Judge failed to consider the issues she raised in her Brief and Reply and overreached the jurisdiction of the court, the court has carefully reviewed the Report and Recommendation and finds that Plaintiff's arguments and issues were addressed, and that the Report did not exceed the jurisdiction of this court in determining whether the ALJ's decision was supported by substantial evidence in the record. The court has also examined the issue


of prejudice raised by the Plaintiff and the findings expressed in the Report and Recommendation. Upon *de novo* review of these objections and the evidence of record, the court finds that these findings are not in error.

IT IS, THEREFORE, ORDERED that the Report and Recommendation is adopted by the court.

IT IS FURTHER ORDERED that the decision of the Commissioner is affirmed and Plaintiff's complaint is **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that a judgment in accordance with the terms of this order shall be entered forthwith.

Dated March 25, 2008.



SAM R. CUMMINGS
UNITED STATES DISTRICT COURT